

70-C-275

Jury demand date: 9-29-70 by defendant

[illegible]

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-11-70	Complaint filed and summons issued. ds	
9-18-70	Summons returned, filed - served Alton B. Holmes d/b/a A. B. Holmes & Company by s & Company by serving his wife at their usual place of abode at Tulsa, Oklahoma on 9-17-70. (Fee \$4.44) b	
9-29-70	Answer and Counter-Claim of the defendant, filed. b	
9-29-70	Defendant's demand for jury trial, filed. b	
10-19-70	Plaintiff's reply to answer and answer to counterclaim, filed. b	
10-20-70	Plaintiff's amended reply to defendant's counterclaim, filed. b	
11-3-70	Case set for Pre-Trial on Friday, December 4, 1970 at 2:30 P.M. (FD-J)v	
12-4-70	Pre-trial hearing held, ordered that the defendant amend answer, defendant to file brief on relative damages within 20 days, on pltf 10 da ans splitting cause of action and causes plead. Case to be set on jury/ brier docket, plaintiff to prepare pre-trial order. (Fred Daugherty-Judge)b	
12-16-70	Motion for Summary Judgment filed by plaintiff.	
12-16-70	Brief in support of Motion for summary judgment filed. h	
12-16-70	It is ordered that defendant respond to plaintiff's motion for summary judgment within 10 days. (letter mailed) (AEB-J)h h	
12-18-70	Ordered by the Court that the defendant respond, with brief, to the plaintiff's motion for summary judgment, with any supporting documents, within 20 days from date. (Fred Daugherty - Judge) b	
12-21-70	Affidavit of R. P. Barnes as to principal place of business of plaintiff, filed. b	
12-22-70	Ordered by the Court that the defendant is granted an additional 10 days within which to file brief on relative damages on splitting cause of action and causes plead. (Fred Daugherty - Judge) b	
12-23-70	Pre-trial order of 12-4-70, filed - defendant file brief within 20 days from date and plaintiff file response brief within 10 days thereafter. (Fred Daugherty - Judge) b	
1-4-71	Defendant's response brief, filed. ds	
1-7-71	Plaintiff's reply brief, filed. r	
1-8-71	Case set for jury trial at 9:30 A.M., Weds. 2-17-71. (FD-J)g	
1-18-71	Copy of letter of 1-18-71 to defendant, that assuming the defendant is not abandoning its counterclaim based on damages to its relationship to Cinder Concrete Products, Inc., the defendant should submit the brief on point two, the validity of the defendant's counterclaim, within 10 days, and within said period of time defendant should either file a response to plaintiff's motion for Summary Judgment or adopt defendant's brief of 1-4-71 as his response thereto. (Fred Daugherty-Judge) b	
2-4-71	Letter from defendant to Judge Daugherty dated 2-27-71 abandoning counter claim set forth in his answer based on the damages in relation- ship to Cinder Concrete Products, Inc. and adopt the brief which he filed as answer brief to the brief of plaintiff asking for summary judgment, filed. b	
2-8-71	Order filed granting plaintiff's motion for summary judgment and plaintiff is requested to submit to the Court an appropriate judgment within 15 days of date. (Fred Daugherty-Judge) copies mailed b	
2-8-71	Ordered by the Court that this case is stricken from the jury trial assignment of 2-17-71. (Fred Daugherty - Judge) b	
2-12-71	Judgment filed and entered that plaintiff granted judgment against defendant in the sum of \$15,491.44 pluss 10% interest from 2-2-70 and atty's fee of \$3,956 and costs; and judgment against defendant on defendant/s counterclaims I and II and they are dismissed. (Fred Daugherty - Judge) copies mailed counsel	

D. C. 110A Rev. Civil Docket Continuation

Sheet No. 2

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DATE	PROCEEDINGS	Date Order or Judgment Noted
2-24-71	Execution issued at the request of the plaintiff. j/s	
2-25-71	Application of plaintiff for asset hearing, filed. Set for 3-5-71 before Morris L. Bradford, Magistrate at 10:00 A.M. b	
3-3-71	Return on order, filed. Served Alton B. Holmes in Tulsa, Okla. on 3-3-71. (Fees: \$3.00)m	
3-3-71	Return on execution, filed. Returned unsatisfied - no property found in NDO. (Fees: \$4.44)m	
7-6-71	Release & Satisfaction of judgment, filed. g	

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